

III. REMARKS

1. Claims 1, 8, 10, 12, 14, 20 and 22 are amended. Claims 27-31 are new.

2. It is respectfully submitted that Claims 1, 14, 20 and 22 are not unpatentable over Lang et al. ("Lang") in view of Sharnoff et al. ("Sharnoff") under 35 U.S.C. §103(a). Applicants' invention is directed to determining an online ID associated with a document and then identifying a credibility rating associated with the online ID to evaluate the credibility of the document, as well as establishing a credibility rating for an online ID. The combination of Lang and Sharnoff does not disclose or suggest at least these features of Applicants' invention.

Lang does not disclose or suggest being able to determine an online ID associated with at least one author of the document as is claimed by Applicant. Rather, the extraction means 17 of Lang extracts the raw informons 19 from a data stream 15. The "content" of the informons is used to identify whether the informon is of interest. (Col. 6, lines 59-67). The extraction means can also use a community profile and a user profile for user #1 (5) to determine whether the "informon content" is relevant to the community of which user #1 is a part. (Col. 7, lines 5-8). As shown in FIG. 1, user #1 (5) is the requestor of information that is extracted from the data stream. The extraction means 17 does not determine an online ID of an informon.

Lang deals with concept based indexing, wherein based upon a community profile C, a queue can be formed that includes informons related to the community profile C. (Col. 12, lines 25-30). A list of informons M for each concept is stored.

"Community profiles" are maintained for each M. This is not the same as an "online ID" associated with at least one author of a document.

Sharnoff does not overcome the deficiencies of Lang. The Examiner notes that Lang does not disclose or suggest "the credibility rating with the online ID." It is submitted that Sharnoff also does not disclose or suggest a "credibility rating" as claimed by Applicants. Sharnoff is strictly limited to a "document indexing mechanism" and document filtering based on the indexes. The "indexes" of Sharnoff have nothing to do with "credibility" or a "credibility rating" as claimed by Applicants. Rather, Sharnoff relates to being able to identify duplicates or near duplicates of messages and documents. The credibility of these duplicates or the "information pollution" is never evaluated or determined in Sharnoff. The "indexes" in Sharnoff relate subsets of scores that are calculated when the document or message is parsed into elements, where each element is a fixed number of words. The scores are stored in a database and when a new document or message is received, the new document is also parsed into elements of the same fixed number of words. The score for each element can be compared to the database to see if a "match" exists. (Col. 6, lines 1-62; Col. 7, line 8 to Col. 12, line 19). Sharnoff merely evaluates the "content" of a document by parsing it into elements that are scored versus the content of documents previously received, which are also parsed into elements and scored. Applicants' invention is much different because it is the credibility of the online ID that is associated with the document. When Applicants' invention receives a document, it does not look for a similar document. Rather, it seeks out the credibility rating for the online ID, which is the one or more authors of the document. An association

can then be made between the credibility of the author and the credibility of the document.

For example, in Sharnoff when a document is received it is "parsed into elements." (Col. 7, line 12). The "elements" comprise a fixed number of words, such as 3 word elements. (Col. 6, lines 7-24). The elements, or e.g., the sequence of three words, are given a score. (see e.g., Col. 6, lines 32-46; Col. 7, lines 27-29). The "score" in Sharnoff has nothing to do with a "credibility" of the document or source of the document as in Applicants' invention. The "score" is merely the result of a "deterministic pseudo-random number generator" as applied to an element, or e.g. a sequence of three words. (Col. 6, lines 33-47). Sharnoff does not disclose or suggest any relationship between the "credibility" rating associated with the on-line id" and the "score" of a series of "elements".

Once a "score" is calculated in Sharnoff, it can be compared to indexes in the database to see if the same "element" or sequence of words has previously appeared in another document for which the scores are stored. (see e.g., Col. 6, lines 54-62; Col. 7, lines 59-67; Col. 10, lines 58-59). If there is a "match", the matching document can be retrieved (Col. 6, lines 56-58), or in another embodiment, a message counter is incremented. (Col. 10, lines 14-16).

In essence, all that Sharnoff discloses is a process to "match a new document" to a database. (Col. 7, lines 62-64). There is no disclosure or suggestion in Sharnoff of any further evaluation of the document in terms of "credibility" as is claimed and disclosed by Applicants. Sharnoff can see the determination that a score is in the database, or that the same message has been received more than once, to filter the message from other users,

i.e. to avoid duplicate or undesired messages or documents. (see e.g., Col. 11, line 31 to Col. 12, lines 12).

Furthermore, Applicants' invention according to claim 1 recites determining an "online id associated with at least one author of the document." Sharnoff does not, as the Examiner suggests, disclose "retrieving credibility rating from the database associated with the online ID document." There is absolutely nothing "online" about the "message ID" or "score" disclosed by Sharnoff. Rather, in Sharnoff, as described previously, the "score" relates to a numerical value that is determined for elements of the document. Each message is given an identifier. (Col. 11, lines 1-2). For each "score" in the database, at least one message ID will be associated with the score. Neither the "message ID" nor the "score" correspond to the "online ID" of Applicants' invention.

It is submitted that there is no motivation to combine references as proposed by the Examiner. In order to establish a *prima facie* case of obviousness under 35 U.S.C. §103(a), there must be some suggestion or motivation, either in the reference itself or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. (See M.P.E.P. §2142). The "information pollution" referred to by the Examiner and Sharnoff generally refers to the ability of computer to "duplicate and propagate" information. This does not necessarily relate to the "credibility" of the information. "Credible" information could just as easily be duplicated and propagated. Sharnoff strives to use its document indexing system to identify duplicates of messages, which can then, if desired, filtered them out. (Col. 4, lines 41-47; Col. 12, lines 13-19). Sharnoff cannot determine if a document or an "online ID"

associated with the document is credible. Even an unsolicited or unwanted document could be credible or at least have a "credibility rating" associated with. Sharnoff cannot generate a credibility rating or determine a credibility rating for an online ID associated with a document. Rather, Sharnoff can only take a document, separate the words into sets of words to form elements, and then calculate a numeric or "score" for each element. The scores of each element are then compared to the database for matches. The scores have nothing to do with "credibility" as is claimed and recited by Applicants.

The Examiner's proposition that Applicants' invention would be obvious as recited in the claims is not supported by the factual contents of Lang in view of Sharnoff. The references themselves and/or the knowledge generally available to one of skill in the art do not provide the requisite motivation or suggestion to modify the references as proposed for purposes of 35 U.S.C. §103(a). When "the PTO asserts that there is an explicit or implicit teaching or suggestion in the prior art, it must indicate where such a teaching or suggestion appears in the reference". In re Rijckaert, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993). The Examiner is requested to provide an indication as to where any such teaching, suggestion or motivation appears in the reference. Absent such a teaching, it is submitted that a *prima facie* case of obviousness over Lang in view of Sharnoff under 35 U.S.C. §103(a) is not established. Therefore, claims 1, 14, 20 and 22 should be allowable.

Claim 2-9, 15-19, 21 and 23-31 depend from allowable independent claims and should also be allowable at least in view of the respective dependencies.

Regarding claims 6-9. neither Lang nor Sharnoff disclose or suggest at least an input validator as claimed by Applicants. There is nothing in either Lang or Sharnoff that allows an input by an owner to be verified. In Applicants' invention, the information that is inputted is structured in such a way that it can be verified by the system (see e.g. pg. 11, line 1 through pg. 13, line 20.)

Claim 10 is not unpatentable because neither Lang nor Sharnoff allow an owner of an online ID to input credibility information associated with the online ID into the system for validation. Furthermore, neither Lang nor Sharnoff disclose or suggest an input validator to verify that the inputted credibility information is correct and to rate the inputted information. At most, Land has a user profile or community profile for the User #1, the user generating the informon requests. This is not the same as inputting "credibility" information, or validating the "credibility" information as is claimed by Applicants. The Examiner is respectfully mistaken in making a correlation between the "community profile" of Land and the "credibility database" of Applicants' invention. The community profile is merely used to establish preferences that can be used to determine if the informon content is "relevant to the community of which User #1 is a part." (Col. 7, lines 5-8) This is much different than the credibility of an online ID associated with the document. Information might be relevant, but may or may not be credible. Its credibility is what Applicants' invention determines, not just its relevance. Thus claim 10, and claims 11-13, that depend therefrom are not disclose or suggested and should be allowable.

3. Applicants respectfully note that Lang and Sharnoff have been combined improperly. References may be combined under 35 U.S.C.

§103(a) only if the references are analogous art. In this case Lang and Sharnoff are not analogous art. A reference is analogous art if:

- 1) The reference is in the same field of endeavor as the applicant's, or
- 2) The reference is reasonably pertinent to the particular problem with which the applicant was concerned.

Neither Lang nor Sharnoff are in the same field as the Applicants' invention. Lang is directed to a search engine for receiving informons from a network and filtering the informons for relevancy. Sharnoff on the other hand is directed to a document indexing system for avoid duplicates or near duplicates of the same document. Applicants' invention quite differently is directed to ascertaining a credibility of an author of a document via an online ID and associating a credibility rating of the online ID with the document.

Since Lang and Sharnoff are not in the same field of endeavor as the Applicants' endeavor and are not reasonably pertinent to the particular problem with which the Applicants were concerned, Lang and Sharnoff are not analogous art. Therefore, Lang may not properly be combined with Sharnoff and claims 1, 10, 14, 20 and 22, and the claims that depend therefrom should be allowable

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.



The Commissioner is hereby authorized to charge payment of \$90.00 for five additional dependent claims and any other fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

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Date

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